

Attorney Docket No. 24702

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

STEINHILBER, et al.

Serial No. 09/889,348

Group Art Unit: 1653

Filed:

September 26, 2001

Examiner: SCHNIZER, H.

For:

RECOMBINANT SP-A FOR THE TREATMENT OR PREVENTION OF

PULMONARY INFECTION AND INFLAMMATION

### TRANSMITTAL LETTER

Commissioner for Patents Washington, D.C. 20231

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- Transmittal Letter;
- 2) Response and Amendment; and
- 3) Appendices A-C.

Respectfully submitted,

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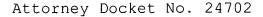
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### RESPONSE AND AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This is in response to the Official Action dated June 22, 2004. The three-month shortened statutory period for response is set to expire on September 22, 2004. Accordingly, this Response is timely filed within the time period set by the Examiner.

# IN THE CLAIMS

Please cancel claims 1-4 and 14 without prejudice to or disclaimer of the subject matter contained therein and amend claims 5-13 and 15-17 as set forth in Appendix A, attached herewith.